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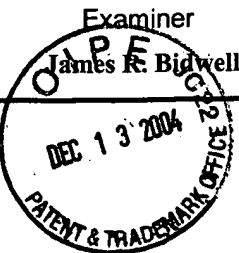
**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
ETH-1437 CON (8920ZYXAZ)

In Re Application Of: **David D. Demarest, et al.**

Application No. 10/644,665	Filing Date August 20, 2003	Examiner James R. Bidwell	Customer No. 23389	Group Art Unit 3651	Confirmation No. 6443
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Invention: **NEEDLE SORTING DEVICE**



Attention: Office of Petitions
Mail Stop Petition
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

12/14/2004 GWORDDF1 00000034 10644665

1. ☒ A proposed reply to the above-identified notice or action:

01 FC:1453

1500.00 OP

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: Amendment and Terminal Disclaimer

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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DEVICE
DEC 13 2004
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6. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of:	<u>\$1,500.00</u>
7. <input type="checkbox"/> Fee for amendment in the amount of:	<u> </u>
8. <input type="checkbox"/> Fee for extension of time to respond to Office Action in the amount of:	<u> </u>
9. <input type="checkbox"/> Issue fee in the amount of:	<u> </u>
10. <input type="checkbox"/> Continuing application filing fee in the amount of:	<u> </u>
11. <input type="checkbox"/> Terminal disclaimer fee in the amount of:	<u> </u>
12. <input type="checkbox"/>	<u> </u>

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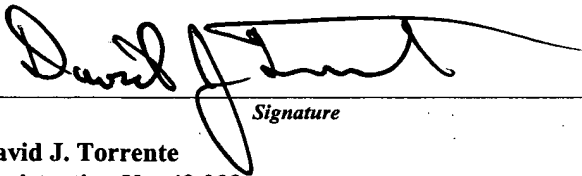
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/644,665	August 20, 2003	James R. Bidwell	23389	3651	6443

Invention: **NEEDLE SORTING DEVICE**



Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.


Signature

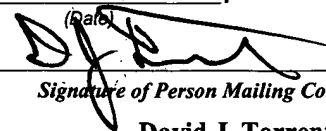
David J. Torrente
Registration No. 49,099

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza - Ste. 300
Garden City, NY 11530
(516) 742-4343

Dated: **December 10, 2004**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

December 10, 2004


Signature of Person Mailing Correspondence

David J. Torrente

Typed or Printed Name of Person Mailing Correspondence

DJT:nf

cc: